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connection with a textbook, but is now designed primarily to be used alone as the basis of instruction. Two chapters which appeared in former editions, — "Capacity of Parties," and "Impairing the Obligation of Contracts," are omitted because they relate to topics ordinarily treated in law schools in courses on Persons, and Constitutional Law. All the changes in the present edition seem improvements over the second edition, and the omissions and compressions make the book more than a hundred pages shorter than the previous edition, although the matter contained in it is greater. We are still of the opinion that the original plan of the book was seriously defective in excluding English cases, and we have regretted the popularity of Sir William Anson's arrangement of topics in the Law of Contracts, which is that adopted, since the inclusion of the personal defenses of mistake, misrepresentation, fraud and duress, under the heading of "Reality of Consent," in connection with the formation of contracts, is likely to lead to misapprehension of the nature of these defenses. Nor do we think the best grasp of illegal contracts can be obtained by considering the topic under the headings of "Legality of Consideration" and "Legality of Object," and regarding both these as necessary elements for the formation of a contract. A contract may exist and be enforceable by one party which is both illegal in its object and its consideration. These matters, however, are not appropriate for criticism of the present edition, but rather of the original treatise. S. W.

CONSULAR TREATY RIGHTS AND COMMENTS ON THE "MOST FAVORED NATION" CLAUSE. By Ernest Ludwig. Akron: The New Werner Company. 1913. pp. 239.

This book deals with questions which arise when an alien dies in the United States, and a consul claims the right to have a voice in administering upon the estate. The questions depend upon the construction of many treaties; for the treaties are far from uniform and many of them give privileges described as those "of the most favored nation," thus causing the investigator to search among all treaties in existence. As to the administration of estates, treaties giving consuls wide powers are those with Argentine, Paraguay, and Sweden; but the provisions of these treaties and of others are somewhat vague and conflicting, and hence require careful examination. This book gives the text of the pertinent passages of the treaties, then gives abstracts of the decisions of State courts, — including apparently some probate cases not reported elsewhere, — then discusses *Rocca v. Thompson*, 223 U. S. 317 (1912), then gives a form for a consul's application for the issuing of letters of administration, then comments on the "most favored nation" clause, and then concludes with a discussion of the nature and extent of the treaty making power. The book has neither a table of contents nor a table of cases, and thus it is not very easy to handle. Besides, it carries with it the burden of being apparently the outgrowth of something like a brief in favor of rights claimed in behalf of Austria-Hungary under the "most favored nation" clause. Yet it is a careful piece of work, and it breaks usefully the ground of an important field too slightly cultivated heretofore.

THE ANCIENT ROMAN EMPIRE AND THE BRITISH EMPIRE IN INDIA. THE DIFFUSION OF ROMAN AND ENGLISH LAW THROUGHOUT THE WORLD. By James Bryce. New York: Oxford University Press. 1914. pp. 138.

JURISDICTION AND PRACTICE OF THE COURTS OF THE UNITED STATES. By Charles W. Bunn. St. Paul: West Publishing Company. 1914. pp. vi, 129.

- HANDBOOK OF THE LAW OF MUNICIPAL CORPORATIONS. By Roger W. Cooley. St. Paul: West Publishing Company. 1914. pp. xii, 711.
- PRINCIPLES OF CORPORATION LAW. By Joseph C. France. Second Edition. Baltimore: M. Curlander. 1914. pp. xxii, 463.
- WHERE AND WHY PUBLIC OWNERSHIP HAS FAILED. By Yves Guyot. Translated from the French by H. F. Baker. New York: The Macmillan Company. 1914. pp. ix, 459.
- HANDBOOK OF JURISDICTION AND PROCEDURE IN UNITED STATES COURTS. By Robert M. Hughes. Second Edition. St. Paul: West Publishing Company. 1913. pp. xvi, 766.
- LAW AS A MEANS TO AN END. Volume V. Modern Legal Philosophy Series. By Rudolf von Ihering. Translated by Isaac Husik. Boston: The Boston Book Company. 1913. pp. lix, 483.
- UNPOPULAR GOVERNMENT IN THE UNITED STATES. By Albert M. Kales. Chicago: The University of Chicago Press. 1914. pp. viii, 263.
- AMERICAN STATE TRIALS. Volume I. Edited by John D. Lawson. St. Louis: F. H. Thomas Law Book Co. 1914. pp. xxvi, 857.
- AMERICAN LAW RELATING TO MINES AND MINERAL LANDS. Volumes I, II, III. By Curtis H. Lindley. Third Edition. San Francisco: Bancroft-Whitney Company. 1914. pp. ccli, 2813.
- LANDMARKS OF A LAWYER'S LIFETIME. By Theron G. Strong. New York: Dodd, Mead and Company. 1914. p. 552.
- THE LIFE AND CORRESPONDENCE OF PHILIP YORKE, EARL OF HARDWICKE, LORD HIGH CHANCELLOR OF GREAT BRITAIN. Volumes I, II, III. By Philip C. Yorke. Chicago: The University of Chicago Press. 1913. pp. xv, 685; vii, 598; vii, 653.

LISTS OF SUBJECTS OF AMES COMPETITION BRIEFS CONTAINED IN THE HARVARD LAW SCHOOL LIBRARY.¹

- BILLS AND NOTES. — Checks — Forged Indorsement of Payee's Signature before Negotiation to Payee by Agent of Maker — Loss as between Bank and Maker.
- BILLS AND NOTES. — Overdue Paper: Equities of Payee — Payee-Indorser against Purchaser for Value without Actual Notice after Maturity.
- EQUITY. — Conflict of Laws — Jurisdiction to decree Affirmative Acts Abroad: Abatement of Foreign Nuisance.
- EQUITY. — Equitable Conversion — Taxation — When Subject to.
- EQUITY. — Specific Performance of Contract for Sale of Land — Statute of Frauds — Present Consideration and Personal Service as Part Performance.
- EVIDENCE. — Character of Parties — Criminal Prosecution — Murder: Vicious Character of Deceased on Issue of Self-defense.
- EVIDENCE. — Hearsay — Declarations concerning Pedigree — Requisite Connection with Family.

¹ See this issue of the Review at page 570.

EVIDENCE. — Testimony at Former Trial — Criminal Trial — Former Testimony offered by Prosecution — Conditions of Admissibility — Intervening Privilege.

PUBLIC SERVICE COMPANIES. — Innkeepers — Duties to Travelers and Guests: Liabilities for Torts of Servants: Test of.

PUBLIC SERVICE COMPANIES. — 1. Rights and Duties — Discrimination in Service — Regulation Infrequently Enforced. 2. Excuses for Not Serving — Failure to pay for Past Service.

PUBLIC SERVICE COMPANIES. — Telephone and Telegraph Companies — Contracts and Stipulations limiting Liability — Unrepeated Message: Error caused by Defective Instruments.

REAL PROPERTY. — Adverse Possession. 1. Subject Matter and Extent — Constructive Possession — What Constitutes. 2. Continuity of — Tacking between Disseisors.

REAL PROPERTY. — Easements — Modes of Acquisition — Parol License acted upon.

REAL PROPERTY. — Easements. 1. Nature and Classes of: Light and Air. 2. Modes of Acquisition: Implied Grant.

REAL PROPERTY. — Waters and Watercourses — Lakes: Who are Littoral Owners — Ownership of Land Lost by Erosion.

SALES. — Subject Matter of — Expectancies under Specific Bequest.

SALES. — 1. Time of Passing Title — Credit Sales — Cash Sales. 2. Rights and Remedies of Seller — Right of Retention for Purchase Price.

SALES. — Time of Passing Title — Inspection: Effect of.

SALES. — Time of Passage of Title — Unspecified Goods: Part of Larger Mass.

TRUSTS. — Cestui's Interest in *Res* — Transfer of: Right as between Sub-cestui and Subsequent Total Assignee where Cestui had only a Partial Interest in Entire *Res*.

TRUSTS. — Constructive Trusts — Misconduct by Non-fiduciaries — Title acquired by Murderer held Subject to.